Operative part

The Court:

1. Dismisses the action;

2. Orders Anheuser Busch, Inc., to pay its own costs and those incurred by the Office for Harmonization in the Internal Market (Trade Marks and Designs) and by Budějovický Budvar, národní podnik.

Judgment of the Court of First Instance (Fifth Chamber) of 16 November 2006 — Jabones Pardo v OHIM — Quimi Romar (YUKI)

(Case T-278/04)

Community trade mark — Opposition proceedings — Earlier national word mark YUPI — Application for the Community word mark YUKI — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 — Findings of OHIM — Admissibility

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services (Council Regulation No 40/94, Art. 8(1)(b)) (see para. 70)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 23 April 2004 (Joined Cases R 547/2003-1 and R 604/2003-1), relating to opposition proceedings between Jabones Pardo, SA and Quimi Romar, SL.

Information relating to the case

Applicant for the Community trade mark:	Quimi Romar, SL
Community trade mark sought:	Word mark YUKI for goods in Classes 3, 5 and 28 — Application No 1353515
Proprietor of the mark or sign cited in the opposition proceedings:	Jabones Pardo, SA
Mark or sign cited in opposition:	Spanish word mark YUPI No 246715 for goods in Class 3
Decision by the Opposition Division:	Opposition partially upheld
Decision of the Board of Appeal:	Appeal by the applicant for the trade mark upheld; appeal by the opponent dismissed

Operative part

The Court:

1. Annuls the decision of the First Board of Appeal of the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM) of 23 April 2004 (Joined Cases R 547/2003-1 and R 604/2003-1) in so far as it allowed the intervener's appeal concerning 'soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices', falling within Class 3, and 'sanitary preparations', falling within Class 5, referred to in the Community trade mark application;

2. Orders OHIM to bear its own costs and pay half of the costs incurred by Jabones Pardo, SA;

3. Orders Quimi Romar, SL to bear its own costs.

Order of the Court of First Instance (Fifth Chamber) of 22 November 2006 — Cámara de Comercio e Industria de Zaragoza v Commission

(Case T-225/02)

European Social Fund — Regulation (EEC) No 4253/88 — Withdrawal of financial aid — Action for annulment — Directly concerned — Inadmissibility

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see paras 41, 48, 50)

Re:

ACTION for annulment of Commission Decision C (2000) 2621 of 29 December 2000 relating to the withdrawal of aid which was allocated by the European Social Fund (ESF) by application of Decision C (91) 2852 of 19 December 1991 adopting the Community initiative 'Euroform' for Spain (P.O. 913051ES8) and ESF funds which the Spanish authorities allocated to the Cámara de Comercio e Industria (Chamber of Commerce), Zaragoza, for the 'Tricoin' project (ref.: EUR-82), for the implementation of which the company Copy Aragón de Zaragoza was responsible.

Operative part

The Court:

1. Dismisses the action as inadmissible;

2. Orders Cámara de Comercio e Industria de Zaragoza to pay the costs.